



The Official Gazette

PUBLISHED
BY
AUTHORITY

VOL. CLVII No. 67

Part A

BRIDGETOWN, BARBADOS, 16TH JUNE, 2022

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Resolution No. 12/2022

Ref. No.: M.P. 0303/122/2 Vol. I

PARLIAMENT

RESOLVED that Parliament in accordance with section 5 of the *Crown Lands (Vesting and Disposal) Act*, Cap. 225 approve the lease to the Barbados National Oil Company Limited of a parcel of land, the property of the State, situate at Fairy Valley in the parish of Christ Church in this Island more particularly described in the *First Schedule* to this Resolution on the terms and conditions set out in the *Second Schedule* hereto for the purpose of a solar photovoltaic power plant and a battery storage system.

APPROVED by the House of Assembly this 17th day of May, Two thousand and twenty-two.

A. HOLDER
Speaker.

APPROVED by the Senate this 1st day of June, Two thousand and twenty-two.

R. FARLEY
President.

I assent
S. MASON
President of Barbados
2022-06-03.

FIRST SCHEDULE

ALL THAT land the property of the State situate at Fairy Valley in the parish of Christ Church in this Island containing by admeasurement 55 937.7 square metres or thereabouts (inclusive of 1406.0 square metres in road reserve) abutting and bounding on lands now or formerly of Barbados National Terminal Co. Ltd. on a public road known as Highway 7 which leads to Pilgrim Road in one direction and to Grantley Adams International Airport in the other direction on a public road and another public road which leads to a cul-de-sac in one direction and a cul-de-sac in the other direction or however else the same may abut and bound as shown and delineated on a plan certified on the 8th day of March, 2022 by Kevin R. Belgrave, Land Surveyor and recorded in the Lands and Surveys Department on the 18th day of March, 2022 as Plan No. 442 of 2022.

SECOND SCHEDULE

TERMS AND CONDITIONS

The terms and conditions of the lease to the Barbados National Oil Company Limited of lands owned by the State, situate at Fairy Valley, Christ Church and described in the *First Schedule* to this Resolution are set out as follows:

- (a) the lease shall be for a period of 25 years at an initial rate of 32 cents per square foot, per annum with an option to renew for a further term;
- (b) rent reviews shall take place at every 5 years;
- (c) the lessee shall bear and discharge all existing and future rates and taxes and assessments whatsoever imposed upon the land including the payment of land taxes, insurance premiums and other outgoings arising out of the use of the land;
- (d) the lessee shall bear the cost of developing the land as a photovoltaic power plant and at all times during the continuance of the term, comply with the *Planning and Development Act, 2019* (Act 2019-5) or subsequent planning and development enactments relating to any matter or things affecting the land demised and indemnify the lessor against all actions and proceedings, damages and penalties, costs, charges, claims and demands in respect of a breach of the provisions of the said Act and statutory instruments made thereunder;
- (e) the lessee shall not use and occupy the land or permit the same to be used or occupied otherwise than approved by the Director of the Planning and Development Department;
- (f) the lessee shall maintain and keep the land to be demised in a clean and tidy condition;
- (g) the lessee shall not assign or underlet or part possession of the land or any part thereof without the previous consent in writing of the lessor;
- (h) the lessee shall not do or suffer to be done on the land to be demised or any part thereof any act, matter or thing whatsoever which may be or tend to the annoyance, nuisance, damage or disturbance of the occupiers of any adjoining or neighbouring property of the land to be demised;
- (i) the lessee shall indemnify and protect the lessor and its duly authorized agents and each and any of them from all loss, damages, claims, suits and demands whatsoever from all persons whomsoever which may be in any wise sustained or be made for or by any reason of or in consequence of the use of the said lands for matters or things by these presents authorized or in consequence of any act or omission of the lessee or its agents in reference to this agreement or any loss or damage or liability in respect of or arising out of the use of the said lands for the purpose stated herein;

SECOND SCHEDULE – *Cont'd***TERMS AND CONDITIONS** – *Cont'd*

- (j) the lessee shall permit the lessor and its authorized agents, after giving the lessee 48 hours' notice in writing, to enter upon the land to be demised and inspect and view the conditions thereof;
- (k) the lessee shall, at the expiration or sooner determination of the said term proposed to be granted, quietly yield up the land to be demised for nil consideration; and
- (l) the premises shall to revert to the State for nil consideration at the end of the lease or its sooner determination.



AIRPORT SERVICE CHARGE ACT, 2022–7

Arrangement of Sections

1. Short title
2. Interpretation
3. Airport service charge
4. Carrier to collect charge
5. Collector and others may charge commission
6. Collector to distribute payments
7. Refund
8. Recovery of charge
9. Offence
10. Regulations
11. Repeal of Cap. 59

BARBADOS

I assent
S. MASON
President of Barbados
3rd June, 2022.

2022–7

An Act to provide for the imposition and collection of an airport service charge.

[Commencement: 16th June, 2022]

ENACTED by the Parliament of Barbados as follows:

Short title

1. This Act may be cited as the *Airport Service Charge Act, 2022*.

Interpretation

2.(1) In this Act,

“aircraft” means any machine for flying, whether propelled by mechanical means or not, and includes any description of balloon;

“Airport” means the Grantley Adams International Airport;

“airport service charge” or “charge” means the charge imposed by section 3;

“carrier” means

- (a) a person who transports passengers by aircraft on a flight from the Airport to a place outside Barbados;
- (b) the pilot or other person in command or control of the aircraft;
- (c) the agent in Barbados of the person referred to in paragraph (a); and
- (d) where the person referred to in paragraph (a) or the agent of the person is a corporation, any director or manager of the corporation;

“collector” means Grantley Adams International Airport Inc. or such other person as may be designated under subsection (2);

“Community” means the Caribbean Community established by Article 2 of the Revised Treaty of Chaguaramas and includes the CARICOM Single Market and Economy signed at Nassau, the Bahamas on 5th July, 2001;

“regional destination” means

- (a) a member of the Community;
- (b) Cuba;
- (c) the Dominican Republic;
- (d) the islands of the British Antilles;
- (e) the islands of the Dutch Antilles;
- (f) the islands of the French Antilles;

- (g) the Commonwealth of Puerto Rico;
 - (h) the Virgin Islands of the United States.
- (2) The Minister may by order, subject to negative resolution, designate a person other than Grantley Adams International Airport Inc. to be the collector for the purposes of this Act.

Airport service charge

- 3.(1) There shall be imposed on a person who travels from the Airport to a place outside Barbados, a charge to be known as the airport service charge.
- (2) Where a person travels to a place which
- (a) is a regional destination, the charge shall be \$70;
 - (b) is not a regional destination, the charge shall be \$140.
- (3) Notwithstanding subsection (1), the airport service charge shall not be payable in respect of
- (a) staff members of international organizations who, in accordance with the terms of the agreement of their respective organizations and the Government of Barbados, are entitled to be exempt from the payment of any charges or taxes on travel undertaken in the performance of their duties;
 - (b) children under the age of 2 years;
 - (c) in-transit passengers remaining in Barbados for a period not exceeding one day; and
 - (d) members of the crew of an aircraft.

Carrier to collect charge

- 4.(1) A carrier which transports from the Airport to a place outside Barbados, a person by whom the airport service charge is payable shall collect the charge from the person and pay it over to the collector.

(2) A carrier which fails to collect the charge in accordance with subsection (1) shall, notwithstanding the failure, pay to the collector an amount equal to the charge.

(3) An amount which a carrier is required to pay to the collector under subsection (1) or (2) shall, without further demand, upon presentation of an invoice by the collector, be due and payable

- (a) within one month after the conclusion of the month to which the invoice relates; and
- (b) subject to such conditions as may be determined by the collector generally or in any particular case.

(4) A carrier shall, in relation to the charge

- (a) keep such records; and
- (b) furnish such returns, in such form and to such persons,

as may be determined by the collector to be necessary for the purposes of this Act.

Collector and others may charge commission

5. The collector and any other person who collects the airport service charge may, with the written approval of the Minister, charge a commission.

Collector to distribute payments

6. Notwithstanding the right of the collector by virtue of section 5(1)(c) of the *Grantley Adams International Airport (Transfer of Management and Vesting of Assets) Act*, Cap. 286 to collect and retain airport charges, all payments received by the collector pursuant to this Act shall be distributed by the collector in accordance with the written instructions of the Minister.

Refund

7.(1) A person who proves to the satisfaction of the collector that he has paid an amount in excess of the amount that he is required to pay under this Act is entitled to have the amount so paid in excess refunded.

(2) No claim for a refund under this section shall be entertained after the expiration of 6 months from the date on which payment of the amount in dispute was made.

Recovery of charge

8. Where any sum, being due and payable pursuant to section 4 remains unpaid, the sum may be recovered as a debt due to the Government of Barbados in civil proceedings in the Magistrate’s Court for District “A” notwithstanding that the amount exceeds the normal monetary limit on the civil jurisdiction of the court.

Offence

9. A carrier which fails to pay over to the collector the airport service charge collected in accordance with section 4 or knowingly seeks to retain the charge so collected, is guilty of an offence and is liable upon summary conviction to a fine of \$20,000.

Regulations

10. The Minister may make regulations generally to give effect to this Act.

Repeal of Cap. 59

11. The *Airport Service Charge Act*, Cap. 59 is repealed.



BARBADOS

CAVES (AMENDMENT) ACT, 2022–8

Arrangement of Sections

1. Short title
2. Amendment of section 2 of Cap. 389

BARBADOS

I assent
S. MASON
President of Barbados
3rd June, 2022.

2022–8

An Act to amend the *Caves Act*, Cap. 389

[Commencement: 16th June, 2022]

ENACTED by the Parliament of Barbados as follows:

Short title

- 1.** This Act may be cited as the *Caves (Amendment) Act, 2022*.

Amendment of section 2 of Cap. 389

2. *Section 2 of the Caves Act, Cap. 389 is amended by deleting the definition “Minister” .*



BARBADOS

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16th June, 2022

Act 2022–9

ANIMALS (DISEASES AND IMPORTATION)
(AMENDMENT) ACT, 2022–9

Arrangement of Sections

1. Short title
2. Amendment of section 2 of Cap. 253
3. Repeal and replacement of section 11 of Cap. 253
4. Insertion of Schedule into Cap. 253

SCHEDULE

BARBADOS

I assent
S. MASON
President of Barbados
3rd June, 2022.

2022–9

An Act to amend the *Animals (Diseases and Importation) Act*.

[Commencement: 16th June, 2022]

ENACTED by the Parliament of Barbados as follows:

Short title

- 1.** This Act may be cited as the *Animals (Diseases and Importation) (Amendment) Act, 2022*.

Amendment of section 2 of Cap. 253

2. *Section 2 of the Animals (Diseases and Importation) Act, Cap. 253, in this Act referred to as the principal Act, is amended by*

(a) *deleting the definition “communicable animal disease” and substituting the following:*

“ “communicable animal disease” means a disease specified in the Schedule;”;

(b) *inserting in alphabetical order, the following definition:*

“ “disease” means communicable animal disease;” and

(c) *deleting the definition “diseased”.*

Repeal and replacement of section 11 of Cap. 253

3. *Section 11 of the principal Act is deleted and the following is substituted:*

“Amendment of Schedule

11. The Minister may by Order amend the *Schedule*.”.

Insertion of Schedule into Cap. 253

4. *The principal Act is amended by inserting after Part IV, the Schedule set out in the Schedule in this Act.*

SCHEDULE

(Section 4)

“SCHEDULE

(Section 2)

Communicable Animal Diseases

1. Actino-mycosis (lumpy-jaw)
2. African Swine Fever
3. Amblyomma Variegatum
4. Anthrax
5. Brucellosis (B. abortus, B. mellitensis, B. suis)
6. Canine Distemper
7. Contagious Pleuro-pneumonia
8. Dermatophilosis
9. Dourine
10. Strangles (equine distemper)
11. Equine Encephalomyelitis
12. Equine Infectious Anaemia (swamp fever)
13. Epizootic Lymphangitis

14. Foot and Mouth disease
15. Glanders (farcy)
16. Heart-water
17. Highly Pathogenic Avian Influenza
18. Classical Swine Fever (hog cholera)
19. Paratuberculosis (Johne’s disease)
20. Newcastle disease
21. Avian Chlamydiosis (psittacosis, ornithosis)
22. Fowl Typhoid and Pullorum disease
23. Rabies
24. Rinderpest
25. Surra
26. Tuberculosis (Bovine and Avian)”.